1772



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| **IN RE APPLICATION OF:** | Tebbe |
| **CASE:** | OST-011310 |
| **SERIAL NO.:** | 10/048,243 |
| **FILED ON:** | January 24, 2002 |
| **FOR:** | FLAT, FLEXIBLE, BONDED COMPOSITE MATERIAL |

STATEMENT OF BASIS FOR RELEVANCE OF FOREIGN LANGUAGE DOCUMENTS IDENTIFIED IN SUBMITTED PTO-1449

ASSISTANT COMMISSIONER
FOR PATENTS
Washington DC 20231

**ATTENTION OF:** To be assigned

**EXAMINER:** To be assigned

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Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.



**FACTOR & PARTNERS, LLC**
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**(312) 226-1818**

Jody L. Factor

34157

| Publication Number | Publication Date | Basis for Relevance |
|---|---|---|
| DE 28 55 059 | July 5, 1979 | This reference discloses a stratified flexible surface element for treating a gas or liquid brought to contact with it consists of a fibrous or granular active material contained between an underlying layer and a covering layer containing fibers, permeable to the gas or liquid. The underlying later and the covering layer are held together by fibers passing through them individually or in tufts at places distributed densely over the whole surface and anchored in the underlying layer as well as the covering layer. The active material can operate by emission, sorption or catalysis. The particles can transfer, for example, fertilizers or plant protection materials to water in circulation. The active material cn be an absorption or adsorption agent, for example, active carbon, vermiculite, in the form of grains or fibers, for suppressing odors, or an ion exchanger for water softening, or a catalyst for petroleum treatment, or it can emit perfumes or bactericides into the air. The element overcomes disadvantages associated with variations in permeability at different parts. The holding fibers have an open structure and the outer and inner parts are freely accessible at all places, to the medium being treated. The thickness is uniform so that the layers are parallel. The element can be cleaned or regenerated easily, for example, by washing. |
| DE 35 45 926 | July 2, 1987 | This reference discloses a sheet of fabric, mat, film, paper and the like, made of natural or synthetic material incorporates capsules which contain active substances and which burst open when pressed. The sheet also incorporates a separator layer which is impervious to the active substance concerned. The capsules are embedded in or form this layer and they have preset break-off points so that the active substance will come out in a particular direction. |

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| DE 36 40 374 | June 1, 1988 | This reference discloses inlays which are easy to fix clothing to absorb sweat in armpits, collar and crotch consist of absorbent and compliant materials, compatible with the skin (paper or fiber mat, felt, cellulose or cellulose mat). This material contains microcapsules of perfumes and inflammation inhibitors. A bilaterally adhesive tape is used to bong the inlay to the piece of clothing. The microcapsules can be so designed that their contents are released after and over several hours. |
| DE 43 36 255 | April 27, 1995 | This reference discloses a water-tight work clothing coating on a textile web, especially of cotton is claimed where the web is sanforized and a thermoplastic membrane made of a polyether-block amide, comprising straight chain rigid polyamide sections with flexible polyester sections, is bonded to the material of the web by an adhesive. |

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| DE 40 03 764 | August 14, 1991 | This reference discloses a sterilizable material which is resistant to boiling water consists of an absorbent layer on an elastic membrane which is not microporous but which, although impervious to water, allows water vapor to pass through, and this membrane is cover with a light fabric. The absorbent layer is preferable cotton fabric or a mixed fabric containing viscose; the membrane is preferably polyurethane cover with polyamide or polyethersulphone knitted fabric. Preferably, a cotton or contton/polyethersulphone fabric of substance 120 - 180 g/m2 is glued at points to a polyurethane membrane which is permeable to water vapor. The membrane is reinforced with 35 g/m2 poluethersulphone knitted material and is produced by a transfer process; its thickness is 50 μm. The polyurethane membrane in an example was produced with "Impraperm 43174" for cover and "Impraperm 43176" (both R.T.N.) adhesive layer. The absorbent material can also be a non-woven product of adequate mechanical strength. |

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| DE 40 16 348 | November 28, 1991 | This reference discloses a non-woven fabric composite for hygiene articles. A composite fabric (I) is obtained from spun-bonded web or a web of stable fibers (II) and a strip of polymeric material (III) which is applied while still molten. The process is carried our under partial vacuum. Also claimed is a coating system for carrying out the process, which includes a sheet die, cooling devices, and a rotating vacuum cylinder with perforations around its perimeter. (II) is preferably a layer of unbonded, matted fiber or bonded felt, made of polyamide, polyester or preferably polypropylene with unit weight 10-60 (preferably 10-20) g/m2, or of biodegradable material, preferably based on cellulose, viscose, gelatin fibers or natural polyester, for example, Biopole (RTM), poly-hydroxybutyric acid or poly-epsilon-carprolactone. (III) is ethylene homo- or co-polymer, elastomeric polyamide, polyurethane or elastomeric polyether, or a biodegradable material; 3-40 (preferably 20) µm thick and is transparent, opaque, matte finished or colored, and is preferable permeable to water vapor. A layer of coupling agent (preferable EVA copolymer grafted with a small amount of adipic acid anhydride. (IV) is introduced between (II) and (III), or the molten strip of (III) is subjected to oxidative pretreatment or corona treatment before application to (II); the vacuum cylinder has internal chambers |

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| DE 44 29 251 | February 22, 1996 | This reference discloses an incontinence pad, adult diaper, and the like, which has a liquid impermeable outer layer in the form of an at least two-layer laminate with a hydrophobic micro-fiber textile backing layer and at least one additional membrane layer. Membrane layers may be of polyurethane, polyester, polyamide, polypropylene, or a mixture of these materials. A membrane film may be formed on a polyether block amide base on the microfiber textile backing. The upper membrane later has a mean pore size smaller than the underlying layer preferably by an order. |
| JP 59-106501 | June 20, 1984 | This reference discloses microcapsules with a skin film which crumbles when wet liberating fragrant content to color adjacent materials, or to develop a color or cause discoloration by causing a reaction, are interposed between a water impermeable transparent or translucent membrane and a urine absorbing material ot a diaper. Suitable material for the skin film of the microcapsule are: (a) materials soluble in water or becoming tearable by water, such a gelatin, gum arabic, carboxylmethyl cellulose, polyvinyl alcohol, etc., (b) materials soluble in acidic or alkaline aqueous solutions or becoming tearable by such solution, such as amino resin, polyamide gelatin, sodium alginate, methyl acrylate, etc., (c) materials which become transparent or translucent by wetting by the water, such as gum arabic, starch derivatives, talc, etc., Suitable materials to be contained in the microcapsule: (d) colorants such as dyes, pigments, pH indicators, etc., (e) materials to be colored or discolored by the water such as leuco compounds of vat dyes, anhydrous CuSO4, etc., (f) others such as perfumes, color developing materials. The microcapsules are inserted t between a cover material (nylon, polyethylene, etc.) and a urine absorbing material. |

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| PI 9204008-0 | April 12, 1994 | This reference discloses an improved hygienic absorbent for use in diverse sizes, for example, super medium, or mini, for use at beginning, during and end of menstrual cycle, comprises a nucleus (1) of cotton or similar material, shaped in accordance with an ordinary rectangular form. The interior part is wrapped by an impermeable film (2) extending as far as the lateral parts of the cotton layer, then wrapped completely by two other layers of permeable material (3,4) laid on top. The external layer (4) is of reduced mesh. The lower face is coated with adhesive (5) normally protected by a plastic film (6) which is easily removed in use. The upper face is delicately textured by various longitudinal grooves (9) winding practically in the form of minute channels (10) which extend along the entire surface. |

Should anything further be required, a telephone call to the undersigned, at (312) 226-1818, is respectfully invited.

Respectfully submitted,

FACTOR & PARTNERS, LLC

Dated: May 6, 2002.

Jody L. Factor
One of Attorneys for Applicant

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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington DC 20231, on the date identified below

Dated: May 6, 2002

Jody L. Factor

Form PTO-1449 (REV. 8-83)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

| ATTY. DOCKET NO. | SERIAL NO. |
|---|---|
| OST-011310 | 10/048,243 |
| APPLICANT: Tebbe | |
| FILING DATE: January 24, 2002 | GROUP: 1772 |



## U.S. PATENT DOCUMENTS

| EXAMINER | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING |
|---|---|---|---|---|---|---|---|
| | | 4,424,247 | 1/3/1984 | Erickson | 428 | 138 | 11/9/1981 |
| | | 5,330,817 | 7/19/1994 | Arnott | 428 | 82 | 5/15/1989 |
| | | 5,879,487 | 6/99/1999 | Ravella | 156 | 62.8 | 7/17/1997 |
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## FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANS-LATION YES | TRANS-LATION NO |
|---|---|---|---|---|---|---|---|---|
| | | WO 99/49825 | 10/7/1999 | PCT | | | | |
| | | DE 28 55 059 | 7/5/1979 | Germany | | | | X |
| | | DE 35 45 926 | 7/2/1987 | Germany | | | | X |
| | | DE 36 40 374 | 6/4/1988 | Germany | | | | X |
| | | DE 40 03 764 | 8/14/1991 | Germany | | | | X |
| | | DE 40 16 348 | 11/28/1991 | Germany | | | | X |
| | | DE 43 36 255 | 4/27/1995 | Germany | | | | X |
| | | DE 44 29 251 | 2/22/1996 | Germany | | | | X |
| | | JP 59-106 501 | 6/20/1984 | Japan | | | | X |
| | | PI 9204008-0 | 4/12/1994 | Brazil | | | | X |



## OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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| EXAMINER | DATE CONSIDERED |
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.